

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Union Electric Company,       )  
d/b/a Ameren Missouri for a Permission and Approval and a       )  
Certificate of Public Convenience and Necessity Authorizing       )  
it to Construct, Install, Own, Operate, Maintain and Otherwise       )  
Control and Manage a 345,000-volt Electric Transmission Line       )  
In Cape Girardeau County, Missouri                                       )  
**File No. EA-2013-0089**

## ORDER GRANTING REQUESTS TO INTERVENE

Issue Date: January 10, 2013

Effective Date: January 10, 2013

On December 28, 2012, the International Brotherhood of Electrical Workers Locals 2, 309, 649, 702, 1439, 1455, AFL-CIO, and the International Union of Operating Engineers Local 148, AFL-CIO (collectively "Unions") filed a timely application to intervene. No party has opposed the applications.

The Unions state that, apart from the general public interests in the provision of safe and dependable delivery of electricity at a reasonable cost, the Unions are concerned with the impact the proposed transmission line could have on jobs, worker safety, pensions and other terms and conditions of employment. The Unions claim that a final order by the Commission in this matter could adversely affect their workplace interests.

Section 386.315.1, RSMo 2000, provides:

In establishing public utility rates, the commission shall not reduce or otherwise change any wage rate, benefit, working condition, or other term or condition of employment that is the subject of a collective bargaining agreement between the public utility and a labor organization. Additionally, the commission shall not disallow or refuse to recognize the actual level of expenses the utility is required by Financial Accounting Standard 106 to record for postretirement employee benefits for all the utility's employees, including retirees, if the assumptions and estimates used by a public utility in determining the Financial Accounting Standard 106 expenses have been

reviewed and approved by the commission, and such review and approval shall be based on sound actuarial principles.

This matter does not involve establishing rates, but rather it involves the grant of a certificate of convenience and necessity. And although it appears Section 386.315 may not apply to restrict the Commission's actions with regard to the Unions in this matter, the Unions provide no other authority for the proposition that this Commission could in any way modify or change the terms of its contractual collective bargaining agreement, which encompasses the Unions' members terms and conditions of employment. Although the Unions do not make clear how a final order by the Commission could affect the terms and conditions of the employment of its members, no party has opposed the application. Consequently, the Commission will grant the intervention request.

**THE COMMISSION ORDERS THAT:**

1. The application to intervene filed by the International Brotherhood of Electrical Workers Locals 2, 309, 649, 702, 1439, 1455, AFL-CIO, and the International Union of Operating Engineers Local 148, AFL-CIO is granted.
2. This order shall become effective upon issuance.

**BY THE COMMISSION**

( S E A L )



Shelley Brueggemann  
Secretary

Harold Stearley, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 10<sup>th</sup> day of January, 2013.